THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.21337 of 1994

6th July 2006

Between:

S.Kantha Rao,S/o.Venkaiah, 29 years, No.21-6/1-4, Harijan Colony, Muthyalampadu, Vijayawada.

...PETITIONER

AND

1. The Deputy Commissioner, Commercial Taxes, Division No.1, Padmanabha Buildings, Gandhinagar, Vijayawada – 3, Krishna District.

And one other.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.21337 of 1994

ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

The petitioner herein, who has been appointed as a Junior Assistant in the office of the first respondent, files this Writ Petition, *inter alia*, seeking a mandamus directing the first respondent to appoint him as an Attender as provided in G.O.Ms.No.69 G.A.D dated 18.02.1987.

The case of the petitioner is that during the N.G.Os strike, he was appointed as a Junior Assistant in the said office for certain period. Subsequently, he was relieved when the strike was called off. Therefore, he claims that having regard to the benefit as provided in G.O.Ms.No.69 G.A.D dated 18.02.1987, his case needs to be considered. Further, it is also pointed out that in the similar circumstances, one Shaik Bashir, who was also appointed during the strike period, filed W.P.No.17179 of 1994, which was disposed of on 19.10.1994 with a direction to him to submit a representation to the respondents for consideration of his case for appointment as an

Attender in the light of G.O.Ms.No.69 G.A.D dated 18.02.1987 and with a further direction to the respondents that if he has satisfied the authorities during the strike period and if he is eligible for appointment as an Attender, his case may be considered in the light of the said G.O. Hence, the Writ Petition.

Having considered the submissions made on either side and on perusal of the material available on record, it is seen that there is no dispute in regard to the aforesaid G.O. that for those persons, who have been appointed during the strike period, they can be considered for appointment. Further, this Court also gave similar such direction in W.P.No.17179 of 1994.

In view of the same, the Writ Petition is accordingly disposed of permitting the petitioner to approach the first respondent by submitting a representation and on such submission, the first respondent is directed to consider the petitioner's case in terms of G.O.Ms.No.69 G.A.D dated 18.02.1987 for appointment as Attender. No costs.

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(B.PRAKASH RAO, J)

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(RAMESH RANGANATHAN, J)

6th July 2006
RRB

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